

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED - ALEXANDRIA

JUL 24 2008
ROBERT H. SHEPHERD, CLERK
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

JAMES D. CARTER

CIVIL ACTION NO. 07-1575

VERSUS

DISTRICT JUDGE DEE D. DRELL

METROPOLITAN LIFE INS. CO.

U.S. MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting particularly that no brief on behalf of Mr. Carter was filed, and that there has been no opposition to the Report and Recommendation, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED, ADJUDGED AND DECREED that, because the present record reflects the administrator did not abuse its discretion on the facts presented, plaintiff's claims are dismissed, with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Carter pay to MetLife the sum of \$5,629.83 as reimbursement for overpayments made to him by MetLife.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana, on this
23rd day of July, 2008.



Dee D. Drell
UNITED STATES DISTRICT JUDGE